

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Application of Cabs	)	APPLICATION NO. B-1492
4 Kids, Inc., Nebraska City, Nebraska,	)	
seeking authority as a common carrier in	)	
Nebraska intrastate commerce in the	)	GRANTED AS AMENDED
transportation of passengers, preschool	)	
through grade 12, between points in Otoe	)	
and Nemaha counties, and between points	)	ENTERED: APRIL 6, 1999
within said counties on the one hand, and,	)	
on the other hand, points in Nebraska over	)	
irregular routes.	)	

BY THE COMMISSION:

OPINION AND FINDINGS

By application filed on January 11, 1999, Cabs 4 Kids, Inc., Nebraska City, Nebraska, hereinafter referred to as applicant, seeks a Certificate of Public Convenience and Necessity to operate as a common carrier of passengers by motor vehicle as follows:

AUTHORITY SOUGHT

Passengers, preschool through grade 12, between points in Otoe and Nemaha counties, and between points within said counties on the one hand, and, on the other hand, points in Nebraska over irregular routes.

Notice of the above-captioned application was published in The Daily Record, Omaha, Nebraska, on January 12, 1999, pursuant to the rules of the Commission.

Timely protests to the granting of this application were filed on January 29, 1999, by Prince of the Road, through its attorney, John Boehm, and on February 10, 1999, by Tree City Cab Company. However, with a filing of restrictive amendments to the original application on February 16, 1999, and on March 16, 1999, protestants withdrew their protests on March 22, 1999. Application No. B-1492 was then processed pursuant to Rule 018.03 of the rules of procedures of the Commission.

After due consideration of the evidence and being fully advised in the premises, the Commission is of the opinion and finds:

1. Applicant is fit, willing, and able properly to perform the service proposed and to conform to the provisions of Neb. Rev. Stat., Chapter 75, Sections 75-301 to 75-322, (Reissue 1996), and the requirements, rules and regulations of the Commission thereunder.
2. The proposed intrastate service is or will be required by the present or future public convenience and necessity to the following extent:

APPLICATION NO. B-1492

PAGE TWO

CERTIFICATE AUTHORIZED

SERVICE AND TERRITORY AUTHORIZED:

Passengers, preschool through grade 12, between points in Otoe and Nemaha counties over irregular routes. RESTRICTION: Restricted against contracting with the Nebraska Department of Health and Human Services or FHC Options.

3. The application should be granted as amended.

O R D E R

IT IS, THEREFORE, ORDERED by the Nebraska Public Service Commission that Application No. B-1492 be, and it is hereby, granted as amended; and that upon compliance with the terms and conditions set forth in this Order, a Certificate of Public Convenience and Necessity shall be issued to Cabs 4 Kids, Inc., Nebraska City, Nebraska, in Application No. B-1492 authorizing the operations set forth in the foregoing findings.

IT IS FURTHER ORDERED that applicant shall not be issued the Certificate of Public Convenience and Necessity authorized by the Commission unless and until applicant has fully complied, within a reasonable time from the effective date of this Order, with Neb. Rev. Stat., Sections 75-305 (fees), 75-307 (insurance), and 75-308 (rates), (Reissue 1996), and with the rules and regulations of the Commission; and if upon expiration of such time applicant has not complied with such terms and conditions, this order shall, after reasonable notice to applicant, be of no further force and effect.

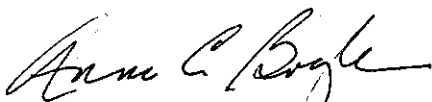
IT IS FURTHER ORDERED that applicant shall not conduct the operations until a Certificate of Public Convenience and Necessity is issued.

IT IS FURTHER ORDERED that applicant shall render reasonably continuous and adequate service to the public pursuant to the authority authorized.

IT IS FURTHER ORDERED that the Certificate of Public Convenience and Necessity authorized shall be subject to the terms, conditions, and limitations which have been, or may hereafter be, prescribed by the Commission.

MADE AND ENTERED at Lincoln, Nebraska, this 6th day of April, 1999.

COMMISSIONERS CONCURRING:



//s//Lowell C. Johnson  
//s//Rod Johnson  
//s//Frank E. Landis  
//s//Daniel G. Urwiller

NEBRASKA PUBLIC SERVICE COMMISSION

  
Chairman

ATTEST:

  
Executive Director